

RHODES, HIERONYMUS, JONES, TUCKER & GABLE, P.L.L.C.  
LAWYERS

ONEOK Plaza  
100 West 5<sup>th</sup> Street, Suite 400  
Tulsa, Oklahoma 74103-4227  
Telephone (918) 582-1173  
Fax (918) 592-3390  
www.rhodesokla.com

Mailing Address  
P O Box 21100  
Tulsa, Oklahoma 74121-1100

Chris L. Rhodes, III  
Bert M. Jones  
John H. Tucker  
Jo Anne Deaton  
Dan S. Folio  
Ann E. Allison  
Andrew D. Downing  
Bradley A. Jackson  
Colin H. Tucker

Kerry R. Lewis  
Leslie J. Southerland  
Nathan E. Clark  
Theresa Noble Hill  
Carye O. Jimerson  
Bradley S. Snells  
Lindsay J. McDowell  
Denelda L. Richardson  
Maria E. Cervantes

Hal Crouch (1902-1947)  
Chris L. Rhodes (1902-1986)  
E. D. Hieronymus (1908-1994)  
George W. Gable (1916-2000)

— Est. 1931 —

Daniel D. Draper, III  
James D. Johnson  
Of Counsel

**RhodesHieronymus**  
O K L A H O M A

Reply to: Theresa Noble Hill  
thill@rhodesokla.com

August 17, 2007

*Via Email and Mail*

Sharon D. Gentry  
Robert A. Nance  
Riggs Abney Neal Turpen Orbison & Lewis, Inc.  
5801 Broadway Extension, Suite 101  
Tulsa, OK 74101

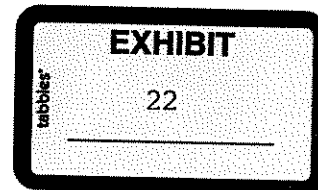
J. Trevor Hammons  
State of Oklahoma  
Assistant Attorney General  
313 NE 21<sup>st</sup> Street  
Oklahoma City, OK 73105

Re: *State of Oklahoma v. Tyson, et al.*

Dear Sharon, Bob, and Trevor:

I am writing on behalf of all of the Defendants to request dates for the State to complete its document production at the remaining agencies. We propose setting aside the week of September 10 or September 17 to complete the agency document reviews in Oklahoma City at Oklahoma Department of Agriculture Food and Forestry, Oklahoma Department of Wildlife Conservation, Oklahoma Department of Tourism, Oklahoma Department of Mines, and Oklahoma Department of Health. We request that these document reviews be scheduled consecutively in one week. In addition, we would request that any documents from Oklahoma Corporation Commission be produced to us no later than September 28, 2007.

We are also responding to Sharon's particular inquiries concerning completing the ODAFF production. We would like to complete the ODAFF production at one time rather than making multiple trips back to this agency. We understand that additional complaint files, dairy files and applicator files have been located. We also understand that there are a few folders of miscellaneous grant applications that have been located. We understand you are still working on gathering the closed CAFO files, documents from the Tahlequah office, and the Poultry Feeding Operations Inspectors' files, which we understand from Inspector Littlefield's deposition



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do actually exist. We would like to review the paper "Rules Files." We request that all of these documents and any other responsive documents that may be located be produced at one time for our review.

From the lists of files from the Department of Mines that you provided, we would like to review all files relating to mining activities in the four counties located in the Illinois River Watershed. We noticed that Greenleaf Nursery was not on your lists. We also request any documents relating to any permits from the Department of Mines held by, or applied for by Greenleaf Nursery and any other entities operating in the Illinois River Watershed. We request any additional responsive documents that may be located at the Department of Mines, including, but not limited to: permit files; complaint files, including complaints involving non-permitted mining activities; investigation files, including any investigations into non-permitted mining activities; and any individual department employees' files (whether in electronic or physical form) relating to mining activities in the Illinois River Watershed.

Please confirm no later than August 24, 2007 whether the week of September 10 or September 17 is preferable to complete the review of documents at these agencies. The purpose of proposing a schedule is to obtain a date certain that the State will complete its document production from these agencies. By proposing a schedule, we are not waiving any argument we may have that the State has unnecessarily delayed its production of agency documents, nor are we waiving any claim for costs or fees associated with the manner in which the State has made its document production at these agencies.

Sincerely,



THERESA N. HILL

TNH:law

cc: Defense Counsel